

PRODUCT: 58 bales, each containing 10 5-pound bags, of enriched flour at Bath, Maine.

LABEL, IN PART: "Enriched Flour * * * Bleached * * * Gwinn's Jefferson Flour."

NATURE OF CHARGE:—Adulteration, Section 402 (b) (1), valuable constituents, vitamin B₁ and iron, had been in part omitted from the article.

Misbranding, Section 403 (g) (1), the article failed to conform to the definition and standard for enriched flour since it contained approximately 0.28 milligram of vitamin B₁ and 4.05 milligrams of iron per pound, whereas the standard requires not less than 2.0 milligrams of vitamin B₁ and not less than 13.0 milligrams of iron per pound.

DISPOSITION: February 28, 1946. The Gwinn Milling Co., claimant, having consented to the entry of a decree, judgment of condemnation was entered and the product was ordered released under bond, conditioned that it be brought into compliance with the law, under the supervision of the Federal Security Agency.

9447. Adulteration and misbranding of enriched flour. U. S. v. 86 Bags of Enriched Flour. Default decree of condemnation. Product ordered delivered to a charitable institution. (F. D. C. No. 18380-A. Sample No. 24762-H.)

LABEL FILED: On or about November 27, 1945, Northern District of Texas.

ALLEGED SHIPMENT: On or about October 2, 1945, by the Hacker Flour Mills, from Jefferson, Okla.

PRODUCT: 57 25-pound bags and 29 50-pound bags of enriched flour at Greenville, Tex.

LABEL, IN PART: "Enriched Flour Hope Chest Quality Family Flour Bleached."

NATURE OF CHARGE: Adulteration, Section 402 (b) (1), valuable constituents, thiamine (vitamin B₁) and iron, had been in part omitted from the article.

Misbranding; Section 403 (g) (1), the article failed to conform to the definition and standard of identity prescribed by the regulation for enriched flour since it contained approximately 1.52 milligrams of thiamine and 11.2 milligrams of iron per pound, whereas the definition and standard requires that the article contain not less than 2.0 milligrams of thiamine and not less than 13.0 milligrams of iron per pound.

DISPOSITION: January 7, 1946. No claimant having appeared, judgment of condemnation was entered and the product was ordered delivered to a charitable institution.

9448. Adulteration and misbranding of enriched plain flour and enriched phosphated flour. U. S. v. Tex-O-Kan Flour Mills Co. (Burrus Mill and Elevator Co.). Plea of guilty. Fine, \$100. (F. D. C. No. 16556. Sample Nos. 61618-F, 62049-F, 62197-F.)

INFORMATION FILED: October 30, 1945, Northern District of Texas, against the Tex-O-Kan Flour Mills Co., a corporation, trading as the Burrus Mill and Elevator Co., Fort Worth, Tex.

ALLEGED SHIPMENT: On or about April 24, September 11, and November 3, 1944, from the State of Texas into the State of Louisiana.

LABEL, IN PART: "Enriched * * * White Dove Flour," or "Enriched * * * Phosphated Light Crust Bleached Flour."

NATURE OF CHARGE: Adulteration, Section 402 (b) (1), valuable constituents, thiamine (vitamin B₁), in all shipments, and riboflavin, niacin, and iron, in one of the shipments, had been in part omitted from the article.

Misbranding, Section 403 (a), the statement, "Enriched 10 oz. of enriched flour contain not less than the following proportions of the minimum daily requirements of Vitamin B₁ (thiamine) 100%, and iron 37%, and 3.75 mg. of niacin," appearing on the label of one shipment of the article, was false and misleading since it represented and suggested that the article contained, per pound, the nutritional substances in the amounts prescribed by the regulations for enriched flour; and that 10 ounces of the article contained not less than 100 percent of the minimum daily requirement of the body for thiamine, whereas the article contained, per pound, lesser amounts of those nutritional substances than the minimum amounts required by the regulations, and 10 ounces of the article contained less than 100 percent of the minimum daily requirement of

the body for thiamine. Further misbranding, Section 403 (a), the statement, "Enriched 8 OZ. of enriched flour contain not less than the following proportions of the minimum daily requirements of Vitamin B₁ 100%," appearing on the label of the other shipments of the article, was false and misleading since the article, in those shipments, contained less than 2.0 milligrams of vitamin B₁ per pound, as required by the regulations for enriched flour, and 8 ounces of the article contained less than 100 percent of the minimum daily requirement of the body for vitamin B₁.

Further misbranding, Section 403 (b) (1), the article failed to conform to the definition and standard of identity prescribed for enriched flour since all shipments contained less than 2.0 milligrams of thiamine, and one of the shipments contained less than 1.2 milligrams of riboflavin, less than 16.0 milligrams of niacin, and less than 13.0 milligrams of iron, whereas the definition and standard requires that enriched flour contain, per pound, not less than 2.0 milligrams of thiamine, not less than 1.2 milligrams of riboflavin, not less than 16.0 milligrams of niacin, and not less than 13.0 milligrams of iron.

DISPOSITION: March 27, 1946. A plea of guilty having been entered on behalf of the defendant, the court imposed a fine of \$100.

9449. Adulteration and misbranding of enriched phosphated flour. U. S. v. 120 Bags of Enriched Phosphated Flour. Default decree of condemnation and destruction. (F. D. C. No. 17496. Sample No. 23331-H.)

LIBEL FILED: September 24, 1945, Western District of Arkansas.

ALLEGED SHIPMENT: On or about August 10, 1945, by the Arkansas City Flour Mills, from Arkansas City, Kans.

PRODUCT: 120 50-pound bags of enriched phosphated flour at Cotter, Ark. Examination showed that the product contained approximately 1.49 milligrams of vitamin B₁ per pound. The definition and standard of identity for enriched flour requires that it contain at least 2.0 milligrams of vitamin B₁ per pound.

LABEL, IN PART: "Bleached Flour Calcium Phosphate Added Majestic Flour Mill Prince."

NATURE OF CHARGE: Adulteration, Section 402 (b) (1), a valuable constituent, vitamin B₁, had been in part omitted from the article.

Misbranding, Section 403 (g) (1), the article failed to conform to the definition and standard of identity prescribed by the regulations for enriched flour.

DISPOSITION: April 5, 1946. No claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

MACARONI AND NOODLE PRODUCTS

9450. Adulteration of macaroni, spaghetti, and egg noodles. U. S. v. Roma Macaroni Factory, Albert Martinelli, and Domenic Louis Gerbo. Pleas of nolo contendere. Fines, \$1,250 against corporate defendant and \$5 against each individual defendant. (F. D. C. No. 19034. Sample Nos. 29825-H, 29826-H, 29961-H, 29962-H, 30706-H, 30707-H.)

INFORMATION FILED: April 11, 1946, Northern District of California, against the Roma Macaroni Factory, a corporation, San Francisco, Calif., and Albert Martinelli and Domenic Louis Gerbo, superintendent and manager, respectively, of the manufacturing plant of the corporation.

ALLEGED SHIPMENT: On or about July 31, and August 1 and 24, 1945, from the State of California into the State of Nevada.

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the articles consisted in whole or in part of filthy substances by reason of the presence of insect fragments, a mite, rodent hairs, rodent hair fragments, hairs resembling rodent hairs or cat hairs, insects, and unidentified hairs; and, Section 402 (a) (4), the articles had been prepared and packed under insanitary conditions whereby they may have become contaminated with filth.

DISPOSITION: June 3, 1946. Pleas of nolo contendere having been entered, the corporate defendant was fined \$250 and each of the individual defendants was fined \$1, on each of the 5 counts of the information.